

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION**

**CASE NO. 6:15-MN-02613-BHH**

**IN RE: TD BANK, N.A. DEBIT CARD  
OVERDRAFT FEE LITIGATION**

**MDL No. 2613**

**ALL CASES**

**JOINT MOTION FOR EXTENSION OF TIME**

COME NOW Plaintiffs and Defendant TD Bank, N.A. and hereby move the Court to extend the time to complete fact and expert discovery and conduct their second mediation, showing the Court as follows:

1. On May 10, 2016, the Parties participated in a mediation with Professor Eric D. Green of Resolutions, LLC. The Parties were unable to reach a resolution.
2. All Parties have been diligently pursuing discovery. Written discovery, including the production and review of over one million pages of documents, is nearly concluded; Plaintiffs' depositions have been completed; Rule 30(b)(6) depositions have been completed; and nearly all fact witness depositions have been completed.
3. However, there are three outstanding depositions of TD Bank's compliance employees. Despite the Parties' diligent efforts, due to existing commitments and schedules, the Parties are not able to complete the depositions until mid-June.
4. The Parties are now preparing for class certification motions.
5. Plaintiffs contend that the three compliance witnesses' depositions need to be

completed prior to submitting class certification expert reports. It is anticipated that the testimony of these three witnesses may be utilized for expert reports relating to case background, evidence relied upon for their opinions, and/or support for their opinions.

6. Accordingly, the Parties propose extensions as follows:

<b>EVENT</b>	<b>CURRENT DATE</b>	<b>PROPOSED DATE</b>
Disclosure of Plaintiffs' Class Certification expert witnesses and service of expert reports	5/18/2016	6/24/2016
Disclosure of Defendant's Class Certification expert witnesses and service of expert reports	7/18/2016	8/23/2016
Deadline for Plaintiffs to move for class certification	8/6/2016	9/22/2016
Mediation Deadline	8/6/2016	1/31/2017
Close of class certification expert discovery	8/16/2016	9/15/2016
Deadline for Defendants to file opposition to motion for class certification	10/5/2016	11/22/2016
Deadline for Plaintiffs to file a reply in support of motion for class certification	11/4/2016	12/22/2016

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7. Therefore, the Parties respectfully request that this Joint Motion be granted. A Proposed Order has been submitted to chambers for the Court's convenience.

Dated this 16<sup>th</sup> day of May, 2016.

/s/ E. Adam Webb

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